

REMARKS

Claims 1-45 are pending in this application. Claims 1-45 were rejected. Claims 1, 12, 16, 27, 31 and 42 are amended. No new matter has been added. In view of the amendments and the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

Rejection of Independent Claims 1, 16 and 31 Under 35 U.S.C. §§ 102(e) & 102(b) and
Rejection of Independent Claims 12, 27 and 42 Under 35 U.S.C. § 103(a)

Claims 1, 16 and 31 are rejected under 35 U.S.C. § 102 as being anticipated by *Angel* and *Grossman*. Claims 12, 27 and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel* in view of *Grossman*. Applicant respectfully traverses this rejection. Neither *Angel* nor *Grossman*, nor any combination thereof, teach all of the features recited in Applicant's independent Claims 1, 12, 16, 27, 31 and 42 as amended.

In Applicant's previous response to the Office Action dated October 25, 2002, Applicant pointed out that *Angel* does not teach, "inserting probes only at...locations in the application" that "would produce non-redundant information." The Office Action states that this feature cannot just be stated as a characteristic of the system. The feature must follow as a result of the method steps as set forth in the claim. Specifically, the Office Action requires Applicant to show "*how* the system discovers probe points that produce non-redundant information" (emphasis in original). Applicant has amended the independent claims so that the invention distinctly describes how the location of probe points that produce non-redundant information are determined.

Specifically, Applicant has amended Claim 1 to teach “determining a set of probe locations in the application at which collecting data relating to the execution of the application would produce non-redundant information *by eliminating pairs of probe locations that would produce redundant information*; and inserting probes only at the determined probe locations in the application” (emphasis added). Applicant has shown that the determination of probe locations that would produce non-redundant information is accomplished by eliminating pairs of probe locations that would produce redundant information. Thus, Claim 1 is allowable and notice to that effect is solicited. Claims 12, 16, 27, 31 and 42 have been similarly amended and therefore are allowable for at least the same reasons as Claim 1.

The Office Action further states that the terms “comprising” and “including” in Applicant’s Claims 1, 16, and 31 indicate that the claimed features are simply part of the invention and that there are other features of the invention that are not claimed. Applicant respectfully disagrees.

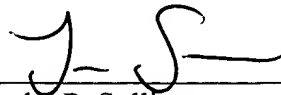
Claims 1, 16, and 31 each claim, in part, “inserting probes *only* at the determined probe locations in the application” that “produce non-redundant information” (emphasis added). As admitted in the Office Action in the second paragraph of the Response to Arguments section, *Angel* inserts probes at locations that produce both redundant and non-redundant information. Based on the Examiner’s own admission, *Angel* does not insert probes only at locations that produce non-redundant information. Thus, *Angel* does not teach Applicant’s invention as claimed in Claims 1, 16, and 31.

In view of the foregoing remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is

respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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